

assignment of rents. We have done it for years, and so how do we carry out what we've intended to do? You look at the date of filing that document in the courthouse, and so the date of filing becomes the perfection. Instead of the appointment of a receiver, it is the date of filing the mortgage and the assignment in the courthouse and that is what attaches. It is what is done in a number of states. It is just Nebraska is a little different and we never knew that the federal courts were going to interpret that way and look back at our law. And so to reverse that problem, I bring to you LB 14, which really puts in place what we have always thought the practice has been, and to try to forestall and try to prevent the unnecessary appointment of receivers or the unnecessary denial of credit or banking. And we received a very good hearing in the Banking Committee. I don't know whether there are any members of the Banking Committee who will be making any statements on behalf of this bill, but I would be glad to answer any questions. I have tried to put it in as plain of terms as I can for you, but LB 14 really does, I think, statutorily put in place what we have always believed the practice to be, and I believe to be a fair practice. And that if you make that assignment of rents or profits, and you agree to do that at the time you borrow the money, that that comes into play when it is filed in the courthouse, and that you don't have to guess about when a receiver has been appointed or not. The other item I guess I look at is to what impact we'll have if we don't do legislation like this, and I think you will start to dry up credit, particularly for marginal operators or people who are just beginning, who need that help, who probably could keep the whole thing together, but if at the wrong time someone comes in just to protect their security and appoints a receiver, now that is when the plug gets pulled and the business fails. I think it is necessary, not only for people who are borrowing money, getting businesses started, it is good for the lenders as well. I'd be happy to answer any questions. Thank you, Madam President.

PRESIDENT MOUL: Thank you, Senator Kristensen. Senator Landis, followed by Senator Hohenstein. Senator Landis.

SENATOR LANDIS: Thank you, Madam President, members of the Legislature. I chair the committee that heard this bill. I support it. It is a good idea. I intend to vote for it. I find that in trying to understand some of these legal principles that you really have to go back to square one to understand what the bill is about, and I thought I would try to continue in this